

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

DANIEL W. EARLS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. CIV-14-188-RAW-KEW

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On July 20, 2015, the United States Magistrate Judge entered a Report and Recommendation, recommending that the above-styled case be reversed and remanded for further proceedings. The Magistrate Judge found, *inter alia*, that the ALJ's complete rejection of Plaintiff's mental health physician Dr. Delia's opinion was not supported by the medical record and reasoning cited by the ALJ. The Magistrate further found, therefore, that the decision of the Commissioner "is not supported by substantial evidence and the correct legal standards were not applied." The Government filed an objection on July 30, 2015, arguing that "the Magistrate Judge does dispute that substantial evidence supports the ALJ's decision."

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse the ALJ's decision and remand this action for further proceedings is well-supported. Accordingly, the Report and Recommendation of the United States Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 31st day of August, 2015.

A handwritten signature in black ink, reading "Ronald A. White". The signature is written in a cursive, flowing style.

**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**